

# **Instruction and Services For School Age Parents**



**November 2008**

**Wisconsin Department of Public Instruction  
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This publication is available from:

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This document is also available on the World Wide Web:

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Printed on Recycled Paper

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## **1. What are school districts required to do for school age parents?**

Wisconsin law requires public schools to make program modifications and services available to any resident school age parent that will enable the student to continue her or his education. [Wis. Stat. 115.915] Additionally, any school district that is receiving state categorical aid to support its classroom and/or homebound instruction to school age parents must meet all requirements within Chapter PI 19, Education for School Age Parents. [PI 19.04(3)(4)]

Program modifications which have been provided by school districts include but are not limited to:

- a modified or shortened class schedule,
- preferential enrollment in classes addressing the school age parent's identified needs, e.g., family and consumer education class on parenting,
- an extended school year,
- an additional school year, i.e., fifth year senior, and/or
- granting academic credit for correspondence or community-based classes, e.g., physical education credit for a birth preparation class.

These modifications may be made to accommodate a school age parent's pregnancy, child care requirements, or part-time employment necessary to support her or his child.

Parents, students, and other interested parties, e.g., the student's physician, may request (but may not dictate) school districts provide specific program or curricular modifications. Ultimately, the school district has the responsibility to determine what program modifications and services are necessary. Question #3 discusses placement alternatives.

## **2. Who qualifies as a school age parent?**

Wisconsin law defines a school age parent as any person under the age of 21 who is not a high school graduate and is a parent, an expectant parent or a person who has been pregnant within the immediately preceding 120 (calendar) days. [Wis. Stat. 115.91] This definition includes both females and males. In addition, Wisconsin law states, "No person may be denied admission to any public school or be denied participation in, be denied the benefits of or be discriminated against in any curricular, extracurricular, pupil services, recreational or other program or activity because of the person's ... pregnancy, marital or parental status..." [Wis. Stat. 118.13]

PI 19.03(2) requires school boards with school age parent programs to ensure the program and written plan are in compliance with this statute. Parents under the age of 21 who are not enrolled in and have not completed high school must be re-enrolled upon request and are entitled to the same instruction and services provided to any other school age parent.

## **3. What kind of placements should be available for school age parents?**

PI 19.04(3) lists the following placement options:

- continuation in the regular school environment with supportive services provided by pupil services staff,

- attendance in an educational program designed specifically to meet the needs of the school age parent,
- homebound instruction,
- hospital instruction, and
- other programs and services which may be available to students identified as at risk under Wis. Stat. 118.153.

Placement approval is voluntary and must have the written consent of the student and the student's parent, if the student is under the age of 18 years. [PI 19.04(5)]

#### **4. What kind of instruction and services should be provided for school age parents?**

Services and instruction for school age parents should be provided based upon their respective written educational and service program plans (see Question #6). PI 19.03(6) lists the following required instruction and services for school age parents:

- instruction in basic skills for academic subjects;
- provision of social services to facilitate accessibility to needed resources;
- information on counseling services available in the school district and the community;
- provision of vocational guidance, career development, and school to work activities;
- information on related maternal and child health support systems and resources; and
- instruction in prenatal and neonatal care, child development, infant and child care, nutrition, and family planning including natural family planning.

In addition, in 1997 Wisconsin law was amended to require school districts with programs serving school age parents to provide instruction (not just information, as in the past) on adoption and adoption services to school age parents. [Wis. Stat. 115.92(1)] This instruction must cover the options available and the procedures followed in independent and agency adoptions, including current practices regarding a birth parent's involvement in the selection of an adoptive home and the sharing of information between birth parents and adoptive parents, the impact of adoption on birth parents and children who have been adopted, and an explanation that the adoption process may be initiated even after a child has been born and has left the hospital. Information to assist in adoption instruction can be obtained from the Wisconsin Adoption Information Center in Milwaukee at (800) 571-1105, (414) 475-0596, [wiaic@execpc.com](mailto:wiaic@execpc.com) (email), or [www.wiadoptioninfocenter.org](http://www.wiadoptioninfocenter.org).

#### **5. Must all of the instruction and services listed in Question #4 be provided through special school based programs?**

No. Any school district receiving categorical aid for classroom and/or homebound instruction must ensure that all school age parents enrolled in the program receive the services and instruction listed in the response to Question #4 through any of the following means:

- specialized instruction and services designed specifically for school age parents,
- existing classes and services available to students other than just school age parents, and
- referral to community-based classes and services.

All services and instruction necessary to fulfill the requirements of PI 19.03(6) should be documented in the student's written educational and service program plan, including what individuals/organizations will provide these services and instruction. School districts that claim

categorical aid for homebound instruction to school age mothers (but not for classroom instruction to school age parents) typically make extensive use of the second two areas in order to comply with PI 19.03(6).

**6. What kinds of programs or services are available in the greater community for school age parents?**

A variety of services are available within communities to support pregnant and parenting teens. Schools are encouraged to contact the local organizations listed below to create their own list of available services, contact names and numbers, etc. Some communities have a wider range of offerings than others, often through private, nonprofit organizations or hospitals and clinics. Your local yellow pages are a good resource to begin investigating available services for pregnant and parenting teens. In addition, some communities have a “First Call for Help” telephone referral service that may be able to share their existing list of service providers for pregnant and parenting teens.

The county public health department, private clinics, physician’s offices, and hospitals can be contacted about services that may be available through a public health nurse, prenatal care, immunizations for infants and children, birth preparation classes, and local adoption agencies.

Extensive additional information is available in the publication Wisconsin Resources for Teen Parents available at <http://www.dpi.state.wi.us/dpi/dlsea/sspw/teenpar.html>.

**7. What process should school districts follow to determine what services and instruction school age parents will receive?**

PI 19.04 outlines the process a school district should follow to determine what services and instruction school age parents will receive. At least one school staff member should be designated as the coordinator for school age parents and to receive referrals. Professional employees of the school district are required to refer any student if they have reasonable cause to believe the student is a school age parent. Permission must be obtained from the student or a minor student’s parent.

A meeting including the following people must be convened to determine the student’s educational and service program plan: the school age parent program coordinator, the student, the student’s parent(s) if the student is under age 18, the student’s teachers, and pupil services staff. These individuals are expected to have the expertise to discuss the student’s current educational program and what program modifications, if any, are needed to accomplish the services and instruction outlined in Question #4 and to accommodate the pupil’s pregnancy, child care, and/or part-time employment necessary to support the child. The educational and service program plan must have the written consent of the student and the student’s parents if the student is under age 18 years or is not otherwise emancipated, e.g., married. Plans should be developed for both school age mothers and fathers.

**8. Some school age parents are adults and/or married. Under these circumstances, who is responsible for giving approval for the student's educational and service program plan?**

Married minors in Wisconsin are emancipated from their parents. [Wis. Stat. 54.46(6)] If the student is 18 years or older or is married, only her/his written approval is needed for the educational and service program plan, i.e., approval of the parent and/or spouse is not needed. [PI 19.04(5)]

**9. What if the student and/or parents disagree with the proposed services and instruction for the school age parent?**

There are no specific processes outlined in statute or administrative rule for resolving disagreements between schools and school age parents and their parents regarding the student's educational and service program plan, either on a local or state level. All attempts should be made to reconcile differences by examining additional alternatives that may be acceptable to all parties. Ultimately, the school district has the final responsibility to determine what program modifications and services are necessary and appropriate.

**10. What costs related to school age parents can be claimed for state categorical aid?**

State categorical aid is available to offset the staff and transportation costs of specialized instruction to school age parents. [Wis. Stat. 115.93] Specialized instruction includes classes designed specifically for school age parents and homebound instruction (with a physician's recommendation) for school age mothers during the period of time when they may be unable to attend school-based classes. Aidable staff include teachers, instructional aides, and pupil services staff providing specialized instruction within their respective areas of expertise. Special transportation costs, i.e., mileage for homebound teachers or special costs involved in transporting a school age parent to a program in another school district, may also be claimed. [PI 19.05]

Tuition paid to another school district for attendance of a school age parent in a specialized program is not aidable for the district paying the tuition, i.e., the district providing the instruction to the school age parent is able to claim these associated costs and should pass on any resulting savings to the school age parent's home school district through reduced tuition. Materials, equipment, rental, child care, and staff time devoted to non-instructional activities, e.g., counseling, referral, are not eligible for reimbursement.

**11. How much of our school age parent instructional costs can a school district recover through state categorical aid?**

The level of reimbursement varies slightly from year to year, depending upon the total claims received. [Wis. Stat. 115.93, PI 19.05] Most recently, reimbursement levels have been approximately 30%.



**12. How does a school district apply for categorical aid?**

School districts formerly completed a separate and distinct plan and claim (PI 2314) and submitted them to the Department of Public Instruction (DPI); that report no longer exists. Necessary plan and claim information is now abbreviated and completed through other existing agency reports which cover a wide range of fiscal and personnel data, i.e., Special Education Fiscal Report (PI 1505-SE) and Fall Staff Report (PI 1202). This information is then sorted by school district from the department's database to create a written report for review. School districts are contacted about any missing information or identified discrepancies, e.g., teacher not certified, prior to disapproval of any claims, in order to allow them the opportunity to correct any possible inaccuracies. Additional specific information regarding PI 1505-SE and PI 1202 related to school age parent instruction is attached.

**13. Are there any special certifications required for staff to be providing specialized instruction to school age parents?**

There is no specific certification through the Department of Public Instruction (DPI) for school age parent teachers. However, in order for a school district to claim categorical aid for specialized instruction to school age parents, professional staff, both teachers and pupil services staff alike, must have at least nine (9) credits in one or more of the following areas: infant and child care, nutrition, fetal development, early childhood, child or adolescent development, maternal health and child care, adolescent psychology, and family relationships. [PI 19.03(4)] Instructional aides need not be certified nor have credits in the areas listed above. Only certified teachers may provide homebound instruction. Homebound teachers need not hold the additional credits noted above if they are providing instruction in basic subject areas only, e.g., social studies, English, math, science.

**14. How long can a school age mother receive homebound instruction?**

PI 19 allows for homebound instruction to be provided any time during the pregnancy and the 120 (calendar) days immediately following the pregnancy. [PI 19.04(3)(c)] There is no minimum number of days. The school district should obtain a physician's statement documenting the need for homebound instruction and the anticipated period of time it is necessary for the student to be homebound. School districts should avoid providing a standard period of time, e.g., six weeks, for homebound instruction for school age parents, as this may be inconsistent with the student's individual needs, i.e., the student may need more or less homebound instruction than the standard period of time.

**15. Does a school district have to provide homebound instruction if it has a clear and substantial reason to believe the student is capable of attending school?**

No. School districts are not required to provide homebound instruction despite a physician's recommendation to do so if it has sufficient cause to believe the student can attend school. For instance, if a pregnant student has a job and is working evenings, it is likely reasonable to assume the student has the physical capacity to attend school even if the school has received a written statement from a physician to the contrary. When the school has a clear and substantial

reason to believe that physician-recommended homebound instruction is not justified, it is suggested the school contact the student, her family, and her physician to explain the school's position. An opportunity for the physician to provide additional documentation as to why homebound instruction is necessary can be requested. Written permission to contact the physician must be obtained from the student's parent (if the student is a minor) or the student (if 18 years or older).

**16. Can a school age mother receive part-time instruction through homebound and part-time through her regular in-school classes?**

Yes. The school age parent's written educational and service program plan should outline what program modifications, if any, are necessary. [PI 19.04(b)] It is not unusual for a pregnant student or one who has recently delivered a baby to have the physical capacity to attend school part-time but not full-time for a period of time in the pregnancy or during the birth recovery, respectively. The student's plan can be written to respond fluidly to the student's changing physical condition, allowing her to transition from in-school instruction to homebound and back to in-school instruction, as needed. Some classes are harder than others to continue and replicate through homebound instruction. This should be considered when the educational and service program plan is developed.

**17. What if a student is having difficulty finding child care after the birth. May homebound instruction continue to be provided, even though the mother is physically able to return to school?**

No, not if the school district wants to claim categorical aid for the costs of the homebound instruction. [PI 19.04(3)(c)] Aidable homebound instruction for school age mothers is limited to up to 120 (calendar) days following the birth. Homebound instruction is provided only when the school age mother has a documented medical need which does not allow her to attend school for part or all of the school day. See response to Question #18 for additional information. It is recommended the school age mother, her family and the school take proactive steps to arrange for child care well before it is time for the student to return to school, i.e., *before* the student begins homebound instruction, to help ensure a smooth transition back into school-based instruction.

**18. May a school age parent be excused from school if she or he cannot arrange for child care?**

Wis. Stat. 118.15(1)(a) requires school attendance of any school-age individuals up until age 18 years, inclusive of school age parents. Wis. Stat. 118.15(1)(d) allows parents to request program or curricular modifications for their children, but does not require the school district to grant the request. However, as cited in the response to Question #1, school districts must make program modifications available to any school age parent that will allow the student to continue her or his education. [Wis. Stats. 115.915] School districts, school age parents and their families may avoid child care difficulties by proactively making child care arrangements well in advance of a school age mother's scheduled return to school following the birth of the child. The school's

program modifications to accommodate the child care arrangements can be documented within the school age parent's written educational and service program plan.

**19. Is a school district expected to keep any particular reports or records on file regarding its school age parent program?**

Yes. In addition to maintaining the same records a school district would keep for any students, staff or fiscal claims to DPI, PI 19.03(2) requires school districts with school age parent programs to maintain a written plan which includes a description of the program's goals and objectives, staffing, implementation procedures, and local means of evaluating the program. PI 19.03(9) requires school districts to annually evaluate their school age parent program for the purposes of determining the effectiveness of the program and the need for modifications to the program. The evaluation must examine the extent to which:

- the stated goals and objectives of the program were met;
- students in the program demonstrated satisfactory progress in basic skills acquisition and progress toward high school graduation; and
- students in the program demonstrated a basic knowledge of maternal health practices, the acquisition of child care techniques, and family planning.

School age parents' educational and service program plans should be treated as behavioral records as defined in Wis. Stat. 118.125.

**20. How can I get more information if I have additional questions about services and instruction for school age parents?**

Questions can be directed to Nic Dibble, Consultant, School Social Work Services, at (608) 266-0963 or [nic.dibble@dpi.wi.gov](mailto:nic.dibble@dpi.wi.gov).

## **FALL STAFF REPORT**

### **PI 1202**

The Fall Staff Report (PI 1202) is due annually each October 15th with information for the current school year. The report uses a two-digit position code followed by a three-digit assignment code. Any staff assigned to school age parent instruction, either part- or full-time at the time the Fall Staff Report is generated, should be reflected in the report.

Applicable codes for school staff that can be used for instruction to school age parents are:

53-932	teacher – school age parent program
97-932	program aide – school age parent program
09-932	subject coordinator – school age parent program
18-932	department head – school age parent program
10-027	director of instruction/program supervisor – school age parent program
64-027	program coordinator – school age parent program

## **SPECIAL EDUCATION FISCAL REPORT**

### **PI 1505-SE**

The Special Education Fiscal Report is filed twice annually; the budget report is due November 15<sup>th</sup> for the current year and the claim report is due September 15<sup>th</sup> for the previous year.

Utilize Function 174 100 for school age parent-classroom and Function 174 200 for school age parent-homebound.

Any anticipated aidable costs on the budget report will prompt a question asking how many school age parents the school district anticipates serving that year. Likewise, any claimed aidable costs on the claim report will prompt a question asking how many school age parents the school district served the previous year.

**DEPARTMENT OF PUBLIC INSTRUCTION**  
**Unofficial Text (See Printed Volume)**

**Chapter PI 19**

**EDUCATION FOR SCHOOL AGE PARENTS**

PI 19.01 Applicability and purpose.

PI 19.02 Definitions.

PI 19.03 Establishment of school age parent programs.

PI 19.04 Participation in school age parent programs.

PI 19.05 Reimbursement

**PI 19.01 Applicability and purpose.** This chapter establishes program approval criteria for school age parent programs.

**History:** Cr. Register, September, 1986, No. 369, eff. 10–1–86.

**PI 19.02 Definitions.** In this chapter:

(1) “Board” means the school board in charge of the schools of a school district.

(2) “CESA” means a cooperative educational service agency under ch. 116, Stats.

(3) “Department” means the Wisconsin department of public instruction.

(4) “Parent” means mother, father, or legal guardian.

(5) “Program coordinator” means the person or persons designated by the board under s. PI 19.03 (1).

(6) “Pupil services personnel” means school psychologists, school social workers, and school counselors licensed under ch.

PI 3 and registered nurses licensed through the department of regulation and licensing employed by the school district or CESA.

(7) “School age parent” means any person under the age of 21 who is not a high school graduate and is a parent, an expectant parent or a person who has been pregnant within the immediately preceding 120 days. School age parent does not include any person whose parental rights have been terminated.

(8) “State superintendent” means the state superintendent of public instruction.

**History:** Cr. Register, September, 1986, No. 369, eff. 10–1–86; **am.**

**(6), Register, September, 1996, No. 489, eff. 10–1–96.**

**PI 19.03 Establishment of school age parent programs.**

Under s. 115.92, Stats., a board may establish a program for school age parents who are residents of the school district. A program may be operated by the board or under agreement with a CESA, or under s. 66.30, Stats. The program shall meet the following requirements:

(1) The board shall designate a person or persons to coordinate the school age parent program.

(2) Each board establishing a program for school age parents shall have on file a written plan which includes a description of goals and objectives, staffing, implementation procedures, and local means of evaluating the program. The board shall ensure that the plan and program are in compliance with s. 118.13 (1), Stats., especially those provisions which prohibit discrimination on the basis of pregnancy or marital or parental status.

(3) Annually the board, CESA, or fiscal agent for an agreement under s. 66.30, Stats., shall submit a program plan to the department for approval. The plan shall indicate the number of pupils expected to be served, personnel who will be serving the program and anticipated costs of the program. Annually following completion of the approved program, the board, CESA, or fiscal agent for an agreement under s. 66.30, Stats., shall submit a report to the department indicating actual

costs, the number of school age parents instructed or otherwise provided service, their resident school district, and the period of time each was instructed or otherwise provided service.

(4) All teachers and pupil services personnel in the school age parent program shall hold a Wisconsin license within their respective field of practice. All teachers and pupil services personnel providing instruction in the areas specified under sub. (6) (f), shall have earned at least 9 semester credits selected from the following:

(a) Infant and child care.

(b) Nutrition.

(c) Fetal development.

(d) Early childhood.

(e) Child or adolescent development.

(f) Maternal health and child care.

(g) Adolescent psychology.

(h) Family relationships.

(5) The pupil to teacher ratio in classes designed specifically for school age parents may not exceed 15 pupils to one teacher without prior department approval. Teacher aides may assist teachers in classrooms, in which case there may be 20 pupils for one teacher and one full-time teacher aide.

(6) The services provided include:

(a) Instruction in basic skills for academic subjects.

(b) Provision of social services to facilitate accessibility to needed resources including information on adoption resources.

(c) Information on counseling services available in the school district and in the community.

(d) Provision of vocational guidance, career development, and education for employment activities.

(e) Information on related maternal and child health support systems and resources.

(f) Instruction in the following areas:

1. Prenatal and neonatal care.

2. Child development.

3. Infant and child care.

4. Nutrition.

5. Family planning including natural family planning.

(7) The program shall be designed to allow pupils enrolled to meet the high school graduation requirements under s. 118.33, Stats., and ch. PI 18.

(8) The program may utilize infant day care services and parenting skills programs under s. 46.99, Stats.

(9) At least annually, the board shall evaluate the program for purposes of determining the effectiveness of the program and the need for modifications to the program. The evaluation shall examine the extent to which the following were accomplished:

(a) The stated goals and objectives of the program were met.

(b) Pupils in the program demonstrated satisfactory progress in basic skills acquisition and progress toward high school graduation under s. 118.33, Stats.

(c) Pupils in the program demonstrated a basic knowledge of maternal health practices, the acquisition of child care techniques, and family planning.

**History:** Cr. Register, September, 1986, No. 369, eff. 10–1–86; **am.** (3), (4) (intro.), (6) (intro.) and (9) (intro.), Register, September, 1996, No. 489, eff. 10–1–96.

**PI 19.04 Participation in school age parent programs.**

(1) (a) A pupil or a pupil's parent may request participation in the program through the program coordinator.

(b) A teacher, school nurse, school psychologist, school social worker, school counselor, administrator, or any other professional required to be licensed under s. 115.28 (7), Stats., who is employed by the school district and has reasonable cause to believe that a pupil is a school age parent shall, with permission of the pupil or a minor pupil's parent, refer the pupil to the program coordinator.

(c) A physician, nurse, psychologist, social worker, counselor, teacher, administrator or professional employee of a public or private health or social service agency who has reason to believe that a pupil is a school age parent may, with permission of the pupil or a minor pupil's parent, refer the pupil to the program coordinator.

(2) Prior to offering enrollment in the school age parent program, the program coordinator may:

(a) For female pupils, require medical verification of pregnancy or a birth certificate or other evidence which legally establishes parenthood.

(b) For male pupils, require evidence of paternity by one of the following methods:

1. Marriage.

2. Adoption.

3. Presumption of paternity under s. 891.41, Stats.

4. Determination of paternity under s. 767.45, Stats.

(3) Upon determination that a pupil is eligible to enroll in a school age parent program, the program coordinator shall inform the pupil that participation in the program is voluntary. Placement options may include any of the following:

(a) Continuation in the regular school program with supportive services provided by pupil services personnel;

(b) Attendance in an educational program designed specifically to meet the needs of the school age parent;

(c) Home study programs for school age mothers as provided under s. 118.15 (1) (d) 5., Stats., during pregnancy and in the 120 days immediately following pregnancy; and

(d) Hospital instruction for school age mothers during periods when the pupil is hospitalized both prior to and following delivery.

(e) Other programs and services which may be available to pupils identified as children at risk under s. 118.153, Stats.

(4) The program coordinator shall conduct a meeting to include the school age mother or the school age father or both; the parents of pupils who are under age 18; teachers; and pupil services personnel prior to a pupil's entry into the program to discuss the following:

(a) Each pupil's current educational program;

(b) Program modifications, if any, needed to accommodate the pupil's pregnancy or child care requirements or to accommodate the pupil's part-time job necessary to provide support for the child; and

(c) Special programming available.

(d) Placement options under sub. (3).

(5) The program coordinator shall outline each pupil's educational and service program plan in writing. This plan shall have the written consent of the school age parent and his or her parents. If the pupil has reached the age of majority or is otherwise emancipated, parental consent is not required.

(6) When a pupil ceases his or her participation in the school age parent program prior to graduation from high school, the program coordinator shall develop a plan for the transition to the regular school program, if needed.

**History:** Cr. Register, September, 1986, No. 369, eff. 10-1-86; **am. (2) (intro.), (3) (intro.) and (6), cr. (4) (d), Register, September, 1996, No. 489, eff. 10-1-96.**

**PI 19.05 Reimbursement.** (1) Contingent upon receipt of the written report and statement of receipts and disbursements under s. 115.92 (2), Stats., the state superintendent shall authorize reimbursement to the board, CESA, or fiscal agent for an agreement under s. 66.30, Stats., for the following approved costs for school age parent programs which have been approved under s. PI 19.03 (3):

(a) Salaries for instruction by teachers, instructional aides and pupil services personnel. Salaries for aides for home study programs are not reimbursable;

(b) Special transportation;

(c) Other expenses approved by the state superintendent.

(2) Aids paid to school districts for day care programs under s. 46.99, Stats., shall be paid as provided under s. 115.93 (1m), Stats.

**History:** Cr. Register, September, 1986, No. 369, eff. 10-1-86; **am. (1) (a), Register, September, 1996, No. 489, eff. 10-1-96.**

## **Referenced Statutes**

**115.91 Definition.** In this subchapter, "school age parent" means any person under the age of 21 who is not a high school graduate and is a parent, an expectant parent or a person who has been pregnant within the immediately preceding 120 days.

**115.915 Availability of program services and modifications.** Each school board shall make available to any school age parent who is a resident of the school district program modifications and services that will enable the pupil to continue his or her education.

**115.92 Establishment of programs; rules.**

(1) Any school board may establish a program for school age parents who are residents of the school district. The program shall be designed to provide services and instruction to meet the needs of school age parents, including education on the skills required of a parent; family planning, as defined in s. 253.07 (1) (a), including natural family planning; and instruction on adoption and adoption services. The instruction provided on adoption and adoption services shall include instruction on the options available and the procedures followed in independent and agency adoptions, including current practices regarding a birth parent's involvement in the selection of an adoptive home and the sharing of information between birth parents and adoptive parents, instruction on the impact of adoption on birth parents and children who have been adopted and an explanation that the adoption process may be initiated even after a child has been born and has left the hospital. The program shall be coordinated with existing vocational and job training programs in the school district.

(2)

(a) Annually, and at such other times as the department requires, every school board that establishes a program under this subchapter shall submit a written report to the department. The report shall specify the number of school age parents instructed or provided service.

(b) Annually, on or before September 15, each school board maintaining a program under this subchapter shall submit to the department an itemized statement on oath of all revenues and expenditures related to the program during the preceding school year.

(3) The state superintendent shall by rule establish criteria for the approval of programs established under this subchapter for the purpose of determining those programs eligible for aid under s. 115.93.

**115.93 State aid.** If upon receipt of the reports under s. 115.92 (2) the state superintendent is satisfied that the school age parents program has been maintained during the preceding school year in accordance with the rules under s. 115.92 (3), the state superintendent shall certify to the department of administration in favor of each school district maintaining the program a sum equal to the amount expended by the school district during the preceding school year for salaries of teachers and instructional aides, special transportation and other expenses approved by the state superintendent as costs eligible for reimbursement from the appropriation under s. 20.255 (2) (b).

**118.13 Pupil discrimination prohibited.**

(1) No person may be denied admission to any public school or be denied participation in, be denied the benefits of or be discriminated against in any curricular, extracurricular, pupil services, recreational or other program or activity because of the person's sex, race, religion, national origin, ancestry, creed, pregnancy, marital or parental status, sexual orientation or physical, mental, emotional or learning disability.

(2)

(a) Each school board shall develop written policies and procedures to implement this section and submit them to the state superintendent as a part of its 1986 annual report under s. 120.18. The policies and procedures shall provide for receiving and investigating complaints by residents of the school district regarding possible violations of this section, for making determinations as to whether this section has been violated and for ensuring compliance with this section.

(b) Any person who receives a negative determination under par. (a) may appeal the determination to the state superintendent.

(3)

(a) The state superintendent shall:

1. Decide appeals made to him or her under sub. (2) (b). Decisions of the state superintendent under this subdivision are subject to judicial review under ch. 227.

2. Promulgate rules necessary to implement and administer this section.
3. Include in the department's biennial report under s. 15.04 (1) (d) information on the status of school district compliance with this section and school district progress toward providing reasonable equality of educational opportunity for all pupils in this state.
- (b) The state superintendent may:
  1. Periodically review school district programs, activities and services to determine whether the school boards are complying with this section.
  2. Assist school boards to comply with this section by providing information and technical assistance upon request.
- (4) Any public school official, employee or teacher who intentionally engages in conduct which discriminates against a person or causes a person to be denied rights, benefits or privileges, in violation of sub. (1), may be required to forfeit not more than \$1,000.

### **118.153 Children at risk of not graduating from high school.**

- (1) In this section:
- (a) "Children at risk" means pupils in grades 5 to 12 who are at risk of not graduating from high school because they are dropouts or are 2 or more of the following:
    - 1m. One or more years behind their age group in the number of high school credits attained.
    2. Two or more years behind their age group in basic skill levels.
    - 2m. Habitual truants, as defined in s. 118.16 (1) (a).
    3. Parents.
    4. Adjudicated delinquents.
    5. Eighth grade pupils whose score in each subject area on the examination administered under s. 118.30 (1m) (am)
      1. was below the basic level, 8th grade pupils who failed the examination administered under s. 118.30 (1m) (am) 2., and 8th grade pupils who failed to be promoted to the 9th grade.
  - (b) "Dropout" means a child who ceased to attend school, does not attend a public or private school, technical college or home-based private educational program on a full-time basis, has not graduated from high school and does not have an acceptable excuse under s. 118.15 (1) (b) to (d) or (3).
- (2)
- (a) Every school board shall identify the children at risk who are enrolled in the school district and annually by August 15 develop a plan describing how the school board will meet their needs.
  - (b) If in the previous school year a school district had 30 or more dropouts or a dropout rate exceeding 5% of its total high school enrollment, the school board may apply to the state superintendent for aid under this section.
- (3)
- (a)
    1. Every school board that applies for aid under sub. (2) (b) shall make available to the children at risk enrolled in the school district a program for children at risk.
    2. Upon request of a pupil who is a child at risk or the pupil's parent or guardian, a school board described under subd. 1. shall enroll the pupil in the program for children at risk. If the school board makes available more than one program for children at risk, the school board shall enroll the pupil in the program selected by the pupil's parent or guardian if the pupil meets the prerequisites for that program. If there is no space in that program for the pupil, the school board of the school district operating under ch. 119 shall place the pupil's name on a waiting list for that program and offer the pupil another program for children at risk until space in the requested program becomes available.
  - (b) A program for children at risk shall be designed to allow the pupils enrolled to meet high school graduation requirements under s. 118.33. The school board of the school district operating under ch. 119 shall ensure that there are at least 30 pupils and no more than 250 pupils in each program and that a separate administrator or teacher is in charge of each program.
  - (c)
    1. Each school board shall identify appropriate private, nonprofit, nonsectarian agencies located in the school district or within 5 miles of the boundaries of the school district to meet the requirements under pars. (a) and (b) for the children at risk enrolled in the school district.
    2. The school board may contract with the agencies identified under subd. 1. for not more than 30% of the children at risk enrolled in the school district if the school board determines that the agencies can adequately serve such children.
    3. The school board shall pay each contracting agency, for each full-time equivalent pupil served by the agency, an amount equal to at least 80% of the average per pupil cost for the school district.



**(4)**

(a) Annually in August, a school board that applied for aid under this section in the previous school year shall submit a report to the state superintendent. The report shall include only information about the pupils enrolled in a program for children at risk in the previous school year that is necessary for the state superintendent to determine the number of pupils who achieved each of the objectives under par. (c).

(b) Upon receipt of a school board's annual report under par. (a) the state superintendent shall pay to the school district from the appropriation under s. 20.255 (2) (bc), for each pupil enrolled in a program for children at risk who achieved at least 3 of the objectives under par. (c) in the previous school year, additional state aid in an amount equal to 10% of the school district's average per pupil aids provided under s. 20.835 (7) (a), 1991 stats., and s. 20.255 (2) (ac) and (r) in the previous school year.

(c)

1. The pupil's attendance rate was at least 70%.
2. The pupil remained in school.
3. The pupil, if a high school senior, received a high school diploma.
4. The pupil earned at least 4.5 academic credits or a prorated number of credits if the pupil was enrolled in the program for less than the entire school year.
5. The pupil has demonstrated, on standardized tests or other appropriate measures, a gain in reading and mathematics commensurate with the duration of his or her enrollment in the program.

(e) If the appropriation under s. 20.255 (2) (bc) in any fiscal year is insufficient to pay the full amount of aid under par. (b), state aid payments shall be prorated among the school districts entitled to such aid.

**(5)**

(a) In this subsection:

1. "Alternative school" means a public school that has at least 30 pupils and no more than 250 pupils, has a separate administrator or teacher in charge of the school and offers a nontraditional curriculum.
2. "School within a school" means a school that has at least 30 pupils and no more than 250 pupils, has a separate administrator or teacher in charge of the school and is housed in a space specifically dedicated to it in a public school.

(b) Subject to sub. (3) (c) 3., a school board receiving funds under this section shall provide a specific sum to each program for children at risk in which pupils enrolled in the school district are enrolled based on the ability of the program to meet the objectives under sub. (4) (c).

(c) A school board receiving funds under this section shall give preference in allocating those funds to programs for children at risk provided by alternative schools, charter schools, schools within schools and agencies identified under sub. (3) (c) 1.

(6) By January 1, 2005, the legislative audit bureau shall audit programs funded under this section to determine the extent to which they meet the objectives under sub. (4) (c).

(7) The state superintendent shall promulgate rules to implement and administer this section. The rules shall not be overly restrictive in defining approved programs and shall not serve to exclude programs that have demonstrated success in meeting the needs of children at risk.